

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE APPLICATION OF THE)	
UNITED STATES OF AMERICA)	MISC. NO. 10GJ3793
FOR AN ORDER PURSUANT TO)	No. 1:11DM3
18 U.S.C. § 2703(d))	No. 1:11EC3

GOVERNMENT'S CONSENTED-TO MOTION TO CONTINUE HEARING

The United States of America, by Neil H. MacBride, United States Attorney for the Eastern District of Virginia, hereby moves to continue the motions hearing now scheduled in this matter for September 2, 2011, at 9:00 a.m., until a later date agreeable to counsel for the Twitter subscriber parties. In support of its motion, the government states as follows:

1. The Court has scheduled a motions hearing in this matter for Friday, September 2, 2011, at 9:00 a.m.
2. The government's lead counsel in this matter, Andrew Peterson, who was planning on presenting the argument at the motions hearing, has recently been required to take an unexpected business-related trip out of the country, and will likely not have returned to the United States by September 2. Likewise, the undersigned AUSA, who will retire from the Department of Justice on September 7, will not be available on September 2 because on that day he will be delivering his daughter to her college residence. Accordingly, the government seeks a brief continuance of the September 2 motions hearing until another date convenient to the parties and the Court.
3. On August 29, 2011, the undersigned AUSA spoke about the need for a continuance with Aden J. Fine of the American Civil Liberties Foundation, representing one of the parties in this matter. Mr. Fine graciously stated that the parties are amenable to a continuance of the Sept. 2 hearing date, and now is endeavoring to identify and propose a new hearing date convenient for all parties.

4. The proposed continuance will not prejudice any party.
5. A sketch order is attached for the Court's consideration.

WHEREFORE, the United States respectfully requests that this Honorable Court:

- (A) Continue the motions hearing in this matter, now set for September 2, 2011, at 9:00 a.m., until a date convenient to the parties and the Court; and
- (B) Grant such further relief as is just.

Respectfully submitted,

Neil H. MacBride
United States Attorney

By: _____/s/_____
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Andrew Peterson
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 29, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following counsel of record, among others:

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